ψ

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/826,052	04/03/2001	Joseph E. McIsaac	57673-015 (QUAL-110)	2356

			EXAMINER
35893	7590	01/18/2006	GREENE, DANIEL L

GREENBERG TRAURIG, LLP
ONE INTERNATIONAL PLACE, 20th FL
ATTN: PATENT ADMINISTRATOR
BOSTON, MA 02110

ART UNIT	PAPER NUMBER
3621	

DATE MAILED: 01/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
Office Action Summary		09/826,052	MCISAAC ET AL.
		Examiner	Art Unit	
		Daniel L. Greene	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _08 December 2005_.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-27_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-27_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments see REMARKS, filed 12/8/2005, with respect to the

rejection(s) of claim(s) 1-27 under U.S. Patent 5,903,652 (Mital) and U.S. Patent

4,977,595 (Ohta) have been fully considered and are persuasive. Therefore, the

rejection has been withdrawn. However, upon further consideration, a new ground(s) of

rejection is made in view of US 6,336,095 Rosen.

Claims 1-27 are pending in the Application.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   **Claims 1-5, 12-13, 15-19, and 26-27 rejected under 35 U.S.C. 103(a) as being**

unpatentable over Rosen U.S. Patent 6,336,095 B1 [Rosen].

As per claims 1 and 15:

Rosen discloses:

a merchant server system including a computer processor and associated

memory, said merchant server system offering items for sale; Fig. 5, **194**, (Merchant

Server) Col. 10, lines 20-30.

a buyer system including a computer processor and associated memory, said

buyer system being selectively coup able to said merchant server system over said

communication network to initiate a transaction, wherein, during said transaction, said

buyer system selects one or more of said items for purchase; Fig. 12A, Col. 17-18, lines

1-67.

a security server system distinct from said merchant server system and including

a computer processor and associated memory and an encryption device, said security

server system receiving buyer information from said buyer system, encrypting said

buyer information in an encryption key that prevents said merchant server system from

decrypting said buyer information; Fig. 12A-B, Col. 19, lines 40-67.

a third server system including a computer processor and associated memory,

said third server system being selectively coup able to said merchant server system,

wherein said merchant server system transmits at least a portion of said encrypted

buyer information to said third server system for processing during said transaction. Fig.

16 A-E, (Money Module) Col. 19-23, lines 1-67, and Fig. 34.

Rosen discloses the claimed invention, as discussed above, except for the step

of transferring said encrypted buyer information to said merchant server system. It

would have been an obvious matter to modify the teachings of Rosen, to provide the

step of transferring said encrypted buyer information to said merchant server system.

Rosen further discloses that the modules performing the different transaction functions

can be resident on the different parties computers or stand-alone. Fig. 3, Col. 8,

lines 7-51.

As per claims 2 and 16:

Rosen further discloses:

wherein said third server system is one of a delivery server system and a

payment processor server system. Fig. 5

As per claims 3 and 17:

Rosen further discloses:

wherein said encrypted buyer information received by said delivery server

system is delivery address information of said buyer. Fig. 2 and associated text.

As per claims 4 and 18:

Rosen further discloses:

wherein said encrypted buyer information received by said payment processor

server system is payment information of said buyer. Fig. 2 and associated text.

As per claims 5 and 19:

Rosen further discloses:

a fourth server system including a computer processor and associated memory,

said fourth server system being selectively coup able to one of said merchant server

system and said third server system, wherein said one of said merchant server system

and said third server system transmits at least a portion of said encrypted buyer

information to said fourth server system for processing during said transaction. Fig. 5

and 34 with associated descriptions.

As per claim 12:

Rosen discloses:

a merchant server system including a computer processor and associated

memory, said merchant server system offering items for sale; Fig. 5, 194

a buyer system including a computer processor and associated memory, said

buyer system being selectively coup able to said merchant server system over said

communication network to initiate a transaction, wherein, during said transaction, said

buyer system selects one or more of said items for purchase; Fig. 5, 188, 190, 192..

a security server system including a computer processor and associated

memory, said security server system being selectively coup able to said buyer system

to receive buyer information from said buyer system in the course of said transaction,

said buyer information including delivery address information and payment information;

Fig. 5, 208, 202.

Rosen discloses the claimed invention except for a delivery server system

including a computer processor and associated memory. It would have been obvious to

one having ordinary skill in the art at the time of the invention was made to have a

delivery server system including a computer processor and associated memory since it

is known in the art that delivery server systems such as UPS and USPS are readily

available to customers for tracking the delivery of items.

a payment processor server system including a computer processor and

associated memory; Fig. 36.

As per claim 13:

Rosen further discloses:

wherein said security server system encrypts said delivery address information

into a first document and encrypts said payment information into a second document.

Col. 19-20, lines 1-67.

As per claim 26:

Rosen discloses:

a merchant server system including a computer processor and associated

memory, said merchant server system offering items for sale; Fig. 5, 194

a buyer system including a computer processor and associated memory, said

buyer system being selectively coup able to said merchant server system over said

communication network to initiate a transaction, wherein, during said transaction, said

buyer system selects one or more of said items for purchase; Fig. 5, 188, 190, 192.

a security server system including a computer processor and associated memory

and an encryption device, said security server system receiving buyer information from

said buyer system and forming a merchant document including information regarding

the item being purchased, encrypting said buyer information into a payment document

including the buyer's payment information and encrypting said buyer information into an

address document including the buyer's shipping address; Fig. 5, 202, 208..

said security server system transferring said buyer information to a first one of

said merchant server system, a payment server system and a delivery server system,

wherein said first system removes the document associated with the first system and

transmits the remaining documents to a second one of said merchant server system,

said payment server system and said delivery server system, wherein said second

system removes the document associated with the second system and transmits the

remaining document to a third one of said merchant server system, said payment server

system and said delivery server system; Fig. 2, 4D..

wherein said security server system encrypts said buyer information using an

encryption key in which only said payment server system is capable of decrypting said

payment document and only said delivery server system is capable of decrypting said

address document. Col. 19-20, lines 1-67.

As per claim 27:

Mital discloses:

A. establishing a connection between a buyer system and a merchant server

system over said communications network to initiate a purchase transaction; Fig. 5.

B. said buyer system selecting an item offered for sale by said merchant server

system; Fig. 2.

C. said buyer system transmitting buyer information to a security server

system; Fig. 12A.

D. said security server system encrypting said buyer information using an

encryption key that prevents said merchant server system from decrypting said

encrypted buyer information; Fig. 12A.

E. said security server system transmitting said encrypted buyer information to

said merchant server system; Fig. 12A

F. said merchant server system transmitting at least a portion of said encrypted

buyer information to a third server system for processing during said purchase

transaction; Fig. 12A

G. said third server system decrypting said at least a portion of said encrypted

buyer information before processing said information. Fig.12A

3.   Claims 6-11, 14, and 20-25 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Rosen, and further in view of Ohta et al. U.S. Patent 4,977,595

[Ohta]

As per claims 6 and 20:

Rosen discloses the claimed invention except for the wherein said security server

system encrypts said buyer information into a first document and a second document,

wherein said first document is transmitted to said third server system by said merchant

server system and said second document is transmitted to said fourth server system by

said merchant server system. However, Rosen does disclose multi ORDER OBJECTS

that are encrypted and utilized throughout the transaction network. Fig. 2 . Ohta teaches that it is known in the art to provide wherein said security server system encrypts said buyer information into a first document and a second document, wherein said first document is transmitted to said third server system by said merchant server system and said second document is transmitted to said fourth server system by said merchant server system. (Second Embodiment - Col. 19-22).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the system and apparatus for monitoring secure information in a computer network of Rosen with the wherein said security server system encrypts said buyer information into a first document and a second document, wherein said first document is transmitted to said third server system by said merchant server system and said second document is transmitted to said fourth server system by said merchant server system of Ohta, in order to insure the security of the transaction and amplify on the teachings of Rosen.

As per claims 7 and 21:

Rosen discloses the claimed invention except for the wherein said security server system encrypts said buyer information into a first document and a second document, wherein said first and second documents are transmitted to said third server system by said merchant server system and said second document is transmitted to said fourth server system by said third server system. However, Mital does disclose multi ORDER OBJECTS that are encrypted and utilized throughout the transaction network. Fig. 2 .

Ohta teaches that it is known in the art to provide wherein said security server system encrypts said buyer information into a first document and a second document, wherein said first and second documents are transmitted to said third server system by said merchant server system and said second document is transmitted to said fourth server system by said third server system. (Second Embodiment - Col. 19-22).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the system and apparatus for monitoring secure information in a computer network of Rosen with the wherein said security server system encrypts said buyer information into a first document and a second document, wherein said first and second documents are transmitted to said third server system by said merchant server system and said second document is transmitted to said fourth server system by said third server system of Ohta, in order to insure the security of the transaction and amplify on the teachings of Rosen.

As per claims 8, 22 and 24:

Rosen further discloses:

wherein said third server system is one of a delivery server system and a payment processor server system and wherein said fourth server system is the other of said delivery server system and said payment processor server system, and wherein said first document contains one of the buyer system's delivery address information and the buyer system's payment information and the second document contains the other of

said buyer system's delivery address information and said buyer system's payment

information. Fig. 2, Fig. 4.

As per claims 9 and 25:

Rosen further discloses:

wherein said security server system encrypts said first document using a first

encryption key and said second document using a second encryption key, wherein said

one of said third server system and said fourth server system that receives said first

document can decrypt said first document but not said second document and wherein

said other one of said third server system and said fourth server system that receives

said second document can decrypt said second document but not said first document.

Col. 17-18, lines 1-67.

As per claims 10 and 23:

Rosen further discloses:

wherein said third server system is one of a delivery server system and a

payment processor server system and wherein said fourth server system is the other of

said delivery server system and said payment processor server system, and wherein

said first document contains one of the buyer system's delivery address information and

the buyer system's payment information and the second document contains the other of

said buyer system's delivery address information and said buyer system's payment

information. Col. 16-18, lines 1-67.

As per claim 11:

Rosen further discloses:

wherein said security server system encrypts said first document using a first

encryption key and said second document using a second encryption key, wherein said

one of said third server system and said fourth server system that receives said first

document and second documents from said merchant server system can decrypt said

first document but not said second document and wherein said other one of said third

server system and said fourth server system that receives said second document can

decrypt said second document but not said first document. Col. 15-18, lines 1-67.

As per claim 14:

Rosen discloses the claimed invention except for the wherein said security server

system transmits said first and second documents to said merchant server system,

which transmits said first document to said delivery server system and said second

document to said payment processor server system; and wherein said merchant server

system is incapable of decrypting said first and second documents.

However, Rosen does disclose multi ORDER OBJECTS that are encrypted and

utilized throughout the transaction network. Fig. 2 . Ohta teaches that it is known in the

art to provide wherein said security server system transmits said first and second

documents to said merchant server system, which transmits said first document to said

delivery server system and said second document to said payment processor server

system; and wherein said merchant server system is incapable of decrypting said first

and second documents. (Second Embodiment - Col. 19-22).

It would have been obvious to one having ordinary skill in the art at the time the

invention was made to provide the system and apparatus for monitoring secure

information in a computer network of Rosen with the wherein said security server

system transmits said first and second documents to said merchant server system,

which transmits said first document to said delivery server system and said second

document to said payment processor server system; and wherein said merchant server

system is incapable of decrypting said first and second documents of Ohta, in order to

insure the security of the transaction and amplify on the teachings of Rosen.

Examiner's Note: Examiner has cited particular columns and line numbers in the

references as applied to the claims below for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are

applied to the specific limitations within the individual claim, other passages and figures

may apply as well. It is respectfully requested from the applicant, in preparing the

responses, to fully consider the references in entirety as potentially teaching all or part

of the claimed invention, as well as the context of the passage as taught by the prior art

or disclosed by the examiner.

Conclusion

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. Dutta US 6,971, 030 B2 SYSTEM AND METHOD FOR

MAINTAINING USER SECURITY FEATURES.

Sandhu et al. US 6,970,562 B2 SYSTEM AND METHOD FOR CRYPTO-KEY
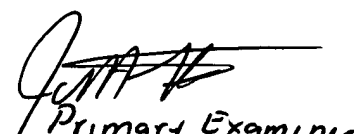
GENERATION AND USE IN CRYPTOSYSTEM

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Daniel L. Greene whose telephone number is 571-272-

6707. The examiner can normally be reached on M-Thur. 8am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, James P. Trammell can be reached on 571-272-6712. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

1/10/2006   Daniel L. Greene
                                                 Examiner
                                                 Art Unit 3621